



03-01-07

IFW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Kevin T. O'Dougherty

Appln. No. : 10/694,038

Filed : October 27, 2003

Title : LIQUID DISPENSING AND  
RECIRCULATING SYSTEM WITH  
SENSOR

Docket No. : N95.12-0015 (ATMI-666)

Group Art Unit: 3753

Examiner: Price, Craig J.

**RESPONSE**

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**

Express Mail No.: EV 884209336 US

Sir:

This is in response to the final Office Action mailed on November 30, 2006, in which claims 1, 2, 4-12, 14, 16-20, and 22-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Van den Bergen et al. (U.S. Pat. No. 6,048,113); claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Van den Bergen et al. in view of Priebe et al. (U.S. Pat. App. Pub. 2003/0075566); and claims 1 and 13 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 8 of copending Application No. 10/247,107 in view of Van den Bergen et al. Claims 1-24 remain pending in the present application.

**Claim Rejections**

Claims 1, 2, 4-12, 14, 16-20, and 22-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Van den Bergen et al. In order to reject a claim under § 102(b), the reference must teach each and every limitation of the claims. MPEP 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). Claim 1 recites a liquid dispensing



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**EXPRESS MAIL COVER SHEET**

Mail Stop Amendment  
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P.O. Box 1450  
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The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and  
Trademark Office on the date shown below:

1. Fee Transmittal (in duplicate); and
2. Response.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 2/28/07

By

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PGK:hjn

# FEE TRANSMITTAL



Total Amount Due Payment \$0.00

## Complete if Known

Application No.	10/694,038
Filing Date	October 27, 2003
First Named Inventor	Kevin T. O'Dougherty
Group Art Unit	3753
Examiner Name	Price, Craig J.
Atty. Docket Number	N95.12-0015 (ATMI-666)

## METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No. 11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed.

2. ☐ Check Enclosed

## FEE CALCULATION

### 1. BASIC FILING FEE

Appn. Type	FILING FEE FEE/SMALL	SEARCH FEES FEE/SMALL	EXAM FEES FEE/SMALL	FEES
PD				
Utility	300 / 150	500 / 250	200 / 100	—
Design	200 / 100	100 / 50	130 / 65	—
Reissue	300 / 150	500 / 250	600 / 300	—
Provisional	200 / 100	-0- / -0-	-0- / -0-	—

Subtotal (1) \$0.00

### 2. EXTRA CLAIM FEES

	Number Claims	Prior	Extra	Fee from Fee Paid Below	
Total	24	24	= 0	x 50	= 0
Indep.	3	3	= 0	x 200	= 0
Multiple Dependent Claims			0	=	0

Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent Claim
1204	200	2204	100	Reissue Independent Claims Over Original Patent
1205	50	2205	25	Reissue claims in excess of 20 and over original patent

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 small) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R. 1.16(s). \$0

Subtotal (2) \$0.00

## FEE CALCULATION (Continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee paid
1051	130	2051	65	Surcharge - Late filing fee or oath	—
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	—
1053	130	1053	130	Non-English specification	—
1812	2,520	1812	2,520	For Filing a Request for Reexamination	—
1251	120	2251	60	Extension for reply within first month	—
1252	450	2252	225	Extension for reply within second month	—
1253	1,020	2253	510	Extension for reply within third month	—
1254	1,590	2254	795	Extension for reply within fourth month	—
1255	2,160	2255	1,080	Extension for reply within fifth month	—
1402	500	2402	250	Filing a brief in support of an appeal	—
1403	1,000	2403	500	Request for oral hearing	—
1814	130	2814	65	Terminal Disclaimer Fee	—
1452	500	2452	250	Petition to revive - unavoidable	—
1453	1,500	2453	750	Petition to revive - unintentional	—
1501	1,400	2501	700	Utility/Reissue issue fee	—
1502	800	2502	400	Design issue fee	—
1460	130	1460	130	Petitions to the Commissioner	—
1807	50	1807	50	Petitions related to provisional applications	—
1806	180	1806	180	Submission of Information Disclosure Statement	—
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	—
1801	790	2801	395	Request for Continued Examination (RCE)	—
Other fee (specify) _____					—
					Subtotal (3) \$0.00

Signature Paul G. Koziol

Reg. No. 58,515

Date 2/28/07

Deposit Account No. 11-0982